

Authority: Item 2, 13th Report, Transport &
Environment Committee
CM: October 9, 1990
Ward: 7

Bill No. 067

CITY OF HAMILTON

BY-LAW NO. 21- Being a By-law to Amend By-law No. 93-129

WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways;

AND WHEREAS Section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office;

AND WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton on October 9, 1990, in adopting Item 2 of the 13th Report of the Transport and Environment Committee, authorized the City to stop-up, close and sell the Public Highway, described as: Part of Eleanor Avenue, Registered Plan 853, designated as Parts 2, 3, 4, 5 and 6; Part of Lot 8, Concession 8 in the geographic Township of Barton, designated as Part 1, and; Part of Parcel "A", Registered Plan 1007, designated as Part 4, all shown on Plan 62R-12366, City of Hamilton.

AND WHEREAS the Council of the City of Hamilton on April 26, 2006, in enacting By-law 06-118, did amend By-law 93-129 as to clauses 2 and 5 of By-law No. 93-129 so that the soil and freehold of the said portion of the closed highway described as Parts 2, 3, 5 and 6 on Plan 62R-12366 be sold to The Hamilton YWCA Non-Profit Housing Corporation for the sum of \$175,000.00.

AND WHEREAS Part 1 on Plan 62R-12366 was not sold pursuant to clause 2 of By-law 93-129 as amended by By-law 06-118, and is now being sold by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That clauses 2 and 5 of By-law 93-129 passed on June 29, 1993, as amended by By-law 06-118 enacted on April 26, 2006, be further amended so that the soil and freehold of the said portion of the closed highway described as Part 1 on Plan 62R-12366 be sold to Parvinder Saini, Harkamal Saini and Manpreet Khera for the sum of \$34,000.00.
2. That all other terms and conditions of By-law No. 93-129, as amended by By-law 06-118, remain the same.
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED this 12th day of May, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk